



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell A. Avery.
Appl. No.: 09/981,312
Filed: October 15, 2001
Docket No.: 1786
Conf. No.: 4970
Title: **SYNTHESIS OF EPOTHILONES AND RELATED ANALOGS**

Art Unit: 1626
Examiner: Fiona Powers

Action: **RCE SUBMISSION IN THE FORM OF AN INFORMATION DISCLOSURE STATEMENT**

Date: September 1, 2005

TO: United States Patent and Trademark Office
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401 Dulany Street
Alexandria, VA 22314

Sir:

The documents identified on the attached forms PTO/SB/08A and PTO/SB/08B have come to the attention of the undersigned in connection with the subject application. Unless otherwise indicated, copies of these documents are attached, and it is respectfully requested that they be made of record in this proceeding.

The identification of these documents is for the purpose of meeting Applicant's duty of disclosure under 37 C.F.R. §1.56 and is not intended to be an admission that any of these documents constitute prior art as to the invention disclosed and claimed in the subject application.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 13-1940.

Please initial the attached forms PTO/SB/08A and PTO/SB/08B where indicated and return a copy of the initialed documents to the undersigned as an indication that the listed references have been considered and made of record.

The Examiner is courteously solicited to enter an expeditious allowance of this application. If any questions remain to be addressed, it is respectfully requested that the undersigned attorney for the Applicants be contacted at the number listed below.

Respectfully submitted,

TIMOTHY J. MARTIN, P.C.



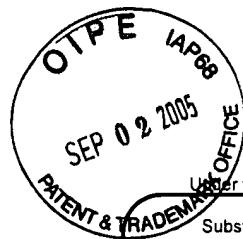
Timothy J. Martin, #28,640
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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing **RCE SUBMISSION IN THE FORM OF AN INFORMATION DISCLOSURE STATEMENT (2 PAGES)**, including **FORMS PTO/SB/08A AND PTO/SB/08B (2 pages)** and **REFERENCES** is being deposited for overnight delivery with Federal Express Label No. 8528 1030 5160 addressed to United States Patent and Trademark Office, Customer Service Window, Mail Stop Petitions, Randolph Building, 401 Dulany Street, Alexandria, VA 22314, on this 1 day of September, 2005.



Marcie F. King



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known	
Application Number	09/981,312
Filing Date	October 15, 2001
First Named Inventor	Mitchell A. Avery
Art Unit	1626
Examiner Name	Fiona Powers
Attorney Docket Number	1786

Sheet 1

of 2

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

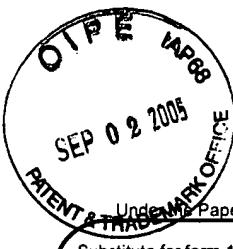
FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date: MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)			
		WO 00/23452	04-27-2000	Schering	
		WO 99/01124	01/14/1999	Sloan-Kettering	
		WO 99/01124	01/14/1999	Sloan-Kettering	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2 Attorney Docket Number 1786

Complete if Known

Application Number	09/981,312
Filing Date	October 15, 2001
First Named Inventor	Mitchell A. Avery
Art Unit	1626
Examiner Name	Fiona Powers

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Harris, Christina R., et al., "New Chemical Synthesis of the Promising Cancer Chemotherapeutic Agent 12, 13-Desoxyepothilone B: Discovery of a Surprising Long-Range Effect on the Diastereoselectivity of an Aldol Condensation", J. Am. Chem. Soc. 1999, Vol. 121, pp. 7050-7062.	
		Harris, Christina R., et al., "Complex Target-Oriented Synthesis in the Drug Discovery Process: A Case History in the dEpoB Series", J. Org. Chem. 1999, Vol. 64, pp. 8434-8456.	
		Mulzer, Johann, et al., "Easy Access to the Epothilone Family - Synthesis of Epothilone B", Tetrahedron Letters, 1998, Vol. 39, pp. 8633-8636.	
		Valluri, Muralikrishna, et al., "Total Synthesis of Epothilone B", Organic Letters, 2001, Vol. 3, No. 23, pp. 3607-3609.	

Examiner Signature	Date Considered
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
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